

EXHIBIT 1

From: [F. Christopher Austin](#)
To: [Angus MacDonald](#)
Subject: RE: 10 minutes to discuss Trubow's emails re Morisky v. MMAS Research?
Date: Monday, March 25, 2024 12:55:30 PM

CAUTION: EXTERNAL EMAIL

Angus:

Happy to speak with you tomorrow at 10:30 am. I'll send a Zoom link.

I am very aware of what Trubow is doing but had not seen the emails sent to you. I'll review for our call tomorrow.

Bottom line: Trubow he is out of money and facing case-ending sanctions in the WA case, so he is trying to make as much noise as possible to bait Dr. Morisky. He has a lien against him for \$70,000 from his prior counsel that he failed to pay, and the Court has sanctioned him and his current counsel for discovery abuses for a total of over \$35,000 that he has now twice failed to pay on penalty of case-ending sanctions.

The Charite ruling does not change anything in the WA case. It merely states that the transfer of the Widget copyright has not yet occurred under the parties prior 2020 settlement agreement. What it does not reach is the position we maintain, which is that the transfer is required to occur under that agreement, and Trubow/MMAS is in breach for not having transferred it, which is one of the breach of contract claims we have in the WA federal case.

Also, what the Charite ruling does not change is the fact that the Widget copyright is at best a derivative of Dr. Morisky's copyrighted adherence scales. Under copyright law, the owner of a derivative has NO RIGHTS WHATSOEVER in the underlying copyrighted work. Dr. Morisky terminated and revoked any license Trubow/MMAS ever had to use the Morisky copyrighted scales. As such the Widget copyright extends only to the code used to display content. It does not grant any right to display as that content the Morisky copyrighted scales. This is part of the basis for our copyright and trademark infringement claims against Trubow/MMAS in the WA case.

Talk to you tomorrow.

Chris
F. Christopher Austin
Weide & Miller, Ltd.

10655 Park Run Drive
Suite 100
Las Vegas NV 89144
[REDACTED] Mobile
702.382.4804 Office
702.382.4805 Fax
caustin@weidemiller.com | www.weidemiller.com